

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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RICHARD BROWN *et alia*,  
Plaintiffs,  
v.  
SUFFOLK COUNTY,  
Defendant.

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C.A. NO. 05-10188-MEL

and

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GIUSEPPE MAROTTA *et al.*,  
Plaintiff  
v.  
SUFFOLK COUNTY,  
Defendant

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C.A. NO. 05-10032-MEL

**JOINT MOTION TO CONTINUE TRIAL DATE FOR 60 DAYS  
SUPPORTED BY DECLARATION OF COUNSEL**

Now come the parties to the above-referenced actions, and move to continue the trial of these actions, scheduled for November 26, 2007, for 60 days, until January 28, 2008. In support thereof, the parties state that this is an action under the Fair Labor Standards Act claim unpaid overtime wages, involving approximately 500 Plaintiffs. In anticipation of trying to resolve this case, the parties agreed to hire a special master to make back pay calculations alleged to be due to the Plaintiffs. The parties originally had

agreed to use the services of an accounting firm, KPGM, to make these calculations, but KPGM unexpectedly withdrew its services. Accordingly, the parties have engaged a different firm, Price Waterhouse Coopers to make the calculations, but the delay resulting from KPGM's withdrawal has left insufficient time for the parties to receive the special master's report by a time which will permit them to avoid the time and expense that will be required to prepare for a trial scheduled to commence on November 26, 2006. The parties state that based on the foregoing, it is in the interest of judicial economy, and in the interest of preserving the parties resources, that this Joint Motion be allowed, and the trial be rescheduled to January 28, 2008.

Respectfully submitted,

THE PLAINTIFFS

By their attorney,

s/Daniel W. Rice  
Daniel W. Rice  
GLYNN, LANDRY,  
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THE DEFENDANT

By its attorneys,

s/Russell Homsy  
Russell Homsy, BBO #  
Suffolk County Sheriffs Department  
Deputy General Counsel  
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**DECLARATION OF COUNSEL**

I, Daniel W. Rice, counsel for the Plaintiffs in this action, swear and affirm the foregoing facts are true and correct, and are based on my personal knowledge.

s/Daniel W. Rice  
Daniel W. Rice

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on October 1, 2007.

/s/ Daniel W. Rice  
Daniel W. Rice